

(ORDER LIST: 537 U.S.)

MONDAY, DECEMBER 16, 2002

**CERTIORARI -- SUMMARY DISPOSITION**

01-801 HARVEY, ARTHUR, ETC. V. SALOMON SMITH BARNEY

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Howsam v. Dean Whitter Reynolds*, 537 U.S. \_\_\_\_ (2002).

**ORDERS IN PENDING CASES**

02A449 CHABAD OF SO. OHIO, ET AL. V. CITY OF CINCINNATI

The motion of the City of Cincinnati to vacate the order entered by Justice Stevens is denied.

00-1471 KY ASSN. OF HEALTH PLANS V. MILLER, KY COMM'R OF INS.

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. The motion of American Medical Association for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

01-188 PHARMACEUTICAL RESEARCH V. CONCANNON, KEVIN, ET AL.

01-1572 COOK COUNTY, IL vs. U. S., ex rel. CHANDLER

The motions of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for

divided argument are granted.

01-1269 CUYAHOGA FALLS, OH, ET AL. V. BUCKEYE COMMUNITY HOPE

The motion of American Planning Association for leave to file a brief as *amicus curiae* is denied. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. The motion of the Solicitor General to allow David B. Salmons to present oral argument *pro hac vice* is granted.

01-1368 NV DEPT. OF HUMAN RESOURCES V. HIBBS, WILLIAM, ET AL.

The motion of the Solicitor General for divided argument is granted. The motion of petitioner NV Dept. of Human Resources, et al. and State of Alabama for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

01-1500 CLAY, ERICK C. V. UNITED STATES

The motion of the Solicitor General for divided argument is granted.

01-1806 RYAN, ATT'Y GEN. OF IL V. TELEMARKETING ASSOCIATES

The motion of respondent Telemarketing Associates to strike portions of petitioner's joint appendix designations is denied.

02-258 JINKS, SUSAN V. RICHLAND COUNTY, SC

The motion of the parties to dispense with printing the joint appendix is granted.

02-563 AM. COALITION OF LIFE, ET AL V. PLANNED PARENTHOOD, ET AL.

The Solicitor General is invited to file a brief in

this case expressing the views of the United States.

02-5664 SELL, CHARLES T. V. UNITED STATES

The motion for appointment of counsel is granted and it is ordered that Barry A. Short, Esquire, of St. Louis, Missouri, is appointed to serve as counsel for the petitioner in this case.

**CERTIORARI DENIED**

01-10814 CASTILLO, JUAN S. V. UNITED STATES

01-10836 JACKSON, WALTER V. STERNES, WARDEN

02-253 UNIV. OF TX AT SAN ANTONIO V. SILER-KHODR, THERESA, ET AL.

02-315 FRIEDMAN'S INC., ET AL. V. WEST VIRGINIA

02-424 SNOWDEN, PATRICIA V. CheckPOINT CHECK CASHING

02-498 ARTHUR ANDERSEN V. BERGER, HARRY, ET AL.

02-514 SMITH, STUART H. vs. INT'L ORG. OF MASTERS, MATES

02-558 GREEN, JACK, ET AL. V. NUVEEN ADVISORY CORP.

02-561 BROWNE, HARRY, ET AL. V. BAYLESS, SEC. OF ST. OF AZ

02-565 SALIM OLEOCHEMICALS vs. M/V SHROPSHIRE, ETC., ET AL

02-567 HOLLANDER, DEE, ET VIR V. SANDOZ PHARMACEUTICALS CORP.

02-568 JONES, HERBERT G. V. TEXAS, ET AL.

02-576 CASE AND POINT, INC., ET AL. V. DALLAS, TX

02-584 MAGERS, BRUCE, ETC. V. BONDS, DONALD R., ET AL.

02-591 QUINN, WILLIE, ET AL. V. BANK ONE, N.A.

02-596 WINSTON, THOMAS R. vs. KS DEPT. OF SOCIAL & REHAB.

02-601 BD. OF COMM'RS OF ORLEANS V. VOGT, ANTHONY L., ET AL.

02-604 ARIA, RICHARD, ET AL. V. UNITED STATES, ETC.

02-618 INT'L SHIPBREAKING LTD. V. SMITH, L. C., ET AL.

02-652 LIGON, LOUIS L. V. BARTIS, LARRY G.  
02-667 YORK, ALEXANDRA V. ASSN. OF BAR OF NEW YORK  
02-701 WEAVER, JANE S. V. DEPT. OF JUSTICE  
02-708 RAGBIR, RAVIDATH V. UNITED STATES  
02-713 MITTAL, BRIJ V. UNITED STATES  
02-718 KIKENBORG, SUSANNE B. R. vs. NEW YORK CITY HEALTH, ETC.  
02-719 KRAJEWSKI, JAY D. V. WISCONSIN  
02-720 CAMPA, JOSEPH C., ET AL. V. UNITED STATES  
02-730 MORLEY, SUSAN M. V. BRADY, ROBERT A., ET AL.  
02-756 CHAVEZ-ZARZA, RAUL V. UNITED STATES  
02-757 MILES, DONALD E. V. UNITED STATES  
02-758 METRO EAST CENTER, ETC. V. QWEST COMMUNICATIONS INT'L  
02-768 METZ, JOHN H. V. SUPREME COURT OF OH, ET AL.  
02-5787 RADLEY, MATTHEW V. UNITED STATES  
02-5863 WRIGHT, MARTY L. V. UNITED STATES  
02-6140 SCHWEBKE, GLENN F. V. WISCONSIN  
02-6354 DELLINGER, JAMES H., ET AL. V. TENNESSEE  
02-6678 SMITH, WILLIE B. V. ALABAMA  
02-6738 FRANCIS, CARL V. FLORIDA  
02-6824 EDWARDS, ROBERT L. V. NEW JERSEY  
02-6825 CAIN, MAURICE L. V. WISCONSIN  
02-6826 CHANNELS, DAVID V. McLEMORE, WARDEN  
02-6834 HIGHTOWER, CHRISTOPHER J. V. SNYDER, DIR., IL DOC, ET AL.  
02-6835 FRAZIER, RICHARD M. V. FLORIDA  
02-6840 FISHER, ANDREW B. V. BUTLER, THOMAS, ET AL.  
02-6846 McMILLAN, ALPHONSO V. FISHER, MICHAEL, ET AL.  
02-6852 MOORE, CHARLES Q. V. ROPER, SUPT., POTOSI

02-6858 ARMSTRONG, KEVIN D. V. COBB COUNTY WATER SYSTEM  
02-6863 POWELL, DWAYNE L. V. MARIO, HURTADO, ET AL.  
02-6864 BRITTAIN, JESSE B. V. CALIFORNIA  
02-6865 LAWS, JESSIE R. V. FATKIN, WARDEN  
02-6867 KUYKENDALL, RICHARD V. COCKRELL, DIR., TX DCJ  
02-6873 WYZYKOWSKI, MICHAEL V. MOORE, SEC., FL DOC  
02-6874 VICTOR, HERMAN V. NEW YORK  
02-6877 JONES, NATHANIEL H. V. SOUTH CAROLINA  
02-6888 TORRES, DAVID S., ET AL. V. ALAMEIDA, DIR., CA DOC  
02-6889 KOEHL, ERIC W. V. COCKRELL, DIR., TX DCJ  
02-6894 WHITE, WILLIAM M. V. FLORIDA  
02-6902 COOK, THEODORE V. STEGALL, WARDEN  
02-6915 GARCIA, JOSE J. V. CAREY, WARDEN  
02-6950 VALDERRAMA, LUIS F. V. MOORE, SEC., FL DOC, ET AL.  
02-6965 WOODS, TYRONE V. RENICO, WARDEN  
02-6983 N'GUESSAN, KONAN, ET AL. V. INS  
02-6985 HAYMAN, CLARENCE V. VAUGHN, SUPT., GRATERFORD  
02-6991 PRATTS, ANTONIO V. FAUNCE, SCOTT, ET AL.  
02-7003 FRANKLIN, GARY T. V. BOCK, WARDEN  
02-7007 ATKINSON, NOEL V. INS  
02-7028 JOHNSON, KATHREAN V. ILLINOIS  
02-7031 SALADINO, ANTHONY V. SENKOWSKI, SUPT.  
02-7041 GRISSO, BILLY V. BARNHART, COMM'R, SSA  
02-7049 WILLIAMS, CHARLES E. V. MOORE, SEC., FL DOC, ET AL.  
02-7062 MOSS, KIM V. HOFBAUER, WARDEN  
02-7065 DIXON, HERMAN V. BURT, WARDEN  
02-7066 NORTON, RICHARD L. V. TENNESSEE

02-7069 SYKES, RICHARD V. HENDRICKS, ADM'R, NJ  
02-7110 BULLOCK, ARDEN B. V. CARVER, WARDEN  
02-7171 JOHNSON, PATRICK V. ILLINOIS  
02-7172 MOTEN, ANTHONY V. KYLER, SUPT., HUNTINGDON  
02-7175 KRAUSE, KEITH D. V. WADDINGTON, SUPT., STAFFORD  
02-7177 SCALES, WILLIE D. V. WOLFE, SUPT, ALBION  
02-7178 HILL, JOHN W. V. MALOLFF, WARDEN, ET AL.  
02-7180 HUFF, JOHNNY R. V. HINKLE, WARDEN  
02-7183 KING, JOHN V. ROPER, SUPT., POTOSI  
02-7204 ARNOLD, HARVEY E. V. STUBBLEFIELD, SUPT., MO  
02-7208 AEID, SULIMAN D. V. BENNETT, SUPT., ELMIRA  
02-7284 GUERRERO, CHARLES D. V. UNITED STATES  
02-7285 FORTE, MICHAEL B. V. REILLY, ATT'Y GEN. OF MA  
02-7313 DAVIS, GREGORY H. V. UNITED STATES  
02-7328 NAJJAR, BASEM V. UNITED STATES  
02-7329 OYEKOYA, WALE A. V. UNITED STATES  
02-7349 CONTRERAS, SALVADOR P. V. UNITED STATES  
02-7350 DUNN, BENNIE V. UNITED STATES  
02-7351 PELCHAT, JOSEPH C. V. UNITED STATES  
02-7356 FLINT, LORENZO V. UNITED STATES  
02-7359 BARO, DANILO V. UNITED STATES  
02-7362 CELESTINE, BERNARD T. V. UNITED STATES  
02-7363 COOK, ANTHONY G. V. UNITED STATES  
02-7364 ESPINOSA-ALVARADO, CESAR A. V. UNITED STATES  
02-7365 BANKS, LEWIS V. UNITED STATES  
02-7366 BATTLE, PAUL E. V. UNITED STATES  
02-7368 ACKWITH, ANTOINE V. UNITED STATES

02-7370 KELLY, JAMES P. V. UNITED STATES  
02-7371 JAMES, DEMETRIS A. V. UNITED STATES  
02-7372 MADRIAGA, FRANK M. V. UNITED STATES  
02-7373 LEE, ERIC P. V. UNITED STATES  
02-7374 RODRIGUEZ-BARCO, JAVIER V. UNITED STATES  
02-7375 ROWE, CEDER A. V. UNITED STATES  
02-7376 STONE, JAMES A. V. UNITED STATES  
02-7377 OLSON, DUANE R. V. UNITED STATES  
02-7379 QUINTERO-BERNAL, LAURO V. UNITED STATES  
02-7383 GARDNER, BARKLEY V. UNITED STATES  
02-7384 FRANKLIN, JERRY V. UNITED STATES  
02-7386 ORTIZ-PARTIDA, FRANCISCO J. V. UNITED STATES  
02-7387 VASQUEZ-LOPEZ, GILBERTO V. UNITED STATES  
02-7388 WILLIAMS, KERMIT O. V. UNITED STATES  
02-7389 WILLIAMS, ODELL V. UNITED STATES  
02-7394 LOHR, ROBERT R. V. UNITED STATES  
02-7396 RILEY, GEORGE V. UNITED STATES  
02-7397 RAYO-VALDEZ, BULMARO V. UNITED STATES  
02-7398 BAKER, CHARLES W. V. UNITED STATES  
02-7399 ARCINIEGA, FRANCISCO J. V. UNITED STATES  
02-7401 BROWN, REGINALD V. UNITED STATES  
02-7407 STEELE, KELVIN V. UNITED STATES  
02-7410 PRIETO-ROMERO, JUAN V. UNITED STATES  
02-7411 WHITFIELD, JAMES E. V. ANDERSON, WARDEN  
02-7412 VALLEJO, GEORGE A. V. UNITED STATES  
02-7413 WOOD, STEFAN V. UNITED STATES  
02-7418 WAHAB, ABDOOL J. V. UNITED STATES

02-7427 CLAIBORNE, BEVERLY A. V. UNITED STATES  
02-7429 FRANKLIN, LEON V. FLORIDA, ET AL.  
02-7430 GREEN, CHRISTOPHER V. UNITED STATES  
02-7431 HERNANDEZ, PEDRO L. V. UNITED STATES  
02-7433 GOODE, KEVIN A. V. UNITED STATES  
02-7435 MORENO-FUENTES, OLGA V. UNITED STATES  
02-7440 FARMER, MARLOW A. V. UNITED STATES  
02-7443 HANDS, EDDIE R. V. UNITED STATES  
02-7448 SIMMONS, DON V. V. UNITED STATES  
02-7450 MOORE, CHARLES V. UNITED STATES  
02-7451 CARTER, ELTON J. V. UNITED STATES  
02-7465 CHEE, KENNETH V. UNITED STATES  
02-7486 GALLO-RODRIGUEZ, MARCO A. V. UNITED STATES

The petitions for writs of certiorari are denied.

02-400 NAT'L UNION FIRE INS. V. LYNCH, MARIE V., ET AL.  
02-562 AM. GEN. FIN., INC. V. PASCHEN, RICHARD W., ET UX.

The petitions for writs of certiorari are denied.

Justice Breyer took no part in the consideration or  
decision of these petitions.

#### **HABEAS CORPUS DENIED**

02-7514 IN RE JOHN JOSEPH CALIA, JR.  
02-7521 IN RE SCOTT DAVID JOHNSON  
02-7539 IN RE NATHANIEL WILKINS

The petitions for writs of habeas corpus are  
denied.

**MANDAMUS DENIED**

02-564 IN RE HERBERT G. JONES

02-688 IN RE JOHN F. HARRAH, SR.

The petitions for writs of mandamus and/or  
prohibition are denied.

**REHEARINGS DENIED**

01-10009 IN RE KEVIN NIGEL STANFORD

01-10018 SORKPOR, WILLIAM H. V. BANK OF BOSTON

01-10274 McMILLIAN, MARVIN B. V. JONES, WARDEN

01-10399 SANCHEZ, VICTOR V. DUNCAN, SUPT., GREAT MEADOW

01-10412 KINGSOLVER, DARYL L. V. RAY, CHARLES, ET AL.

01-10501 SANTIAGO-LUGO, ISRAEL V. UNITED STATES

01-10540 PETERSON, CHARLES L. V. ELLIS, WARDEN

01-10543 PALMER, ROY LEE vs. U. S. HOUSE OF REPS., ET AL.

01-10756 DAY, DONALD W. V. VIRGINIA PAROLE BD., ET AL.

01-10796 DANIELS, LONNIE V. BOROUGH OF MEDIA, PA, ET AL.

02-5215 MURPHY, JAMES M. V. UNITED STATES

02-5313 ALDERMAN, JACK E. V. HEAD, WARDEN

02-5335 KURGAN, PETER V. UNITED STATES

02-5518 IN RE ROBERT WAYNE JOHNSON

02-5633 CRAVIN, DONALD R. V. COCKRELL, DIR., TX DCJ

02-5755 SPENCER, BEVERLY V. THOMAS, CHAIR., RR RB

02-5820 HOOGENBOOM, CAROL V. UNITED STATES

02-5981 LANGFORD, EDWARD A. V. UNITED STATES

02-6031 KING, DAVID V. FIRST AM. INVESTIGATIONS

02-6125 MORA, ORLANDO V. UNITED STATES

02-6318 OLANIYI-OKE, JACKSON A. V. UNITED STATES

02-6321 HUDSON, JOYCE A. V. PICATINNY ARSENAL, ETC.

The petitions for rehearing are denied.

**ATTORNEY DISCIPLINE**

D-2335 IN THE MATTER OF DISCIPLINE OF MARK A. KOVLER

Mark A. Kovler, of White Plains, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.